

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ALINA HARDY,

Petitioner,

v.

VALLIE BOWMAN-ENGLISH,
et al.,

Respondents.

:

Case No. 2:24-cv-4144
Chief Judge Sarah D. Morrison
Magistrate Judge Stephanie K.
Bowman

:

ORDER

On November 22, 2024, the Magistrate Judge issued a Report and Recommendation recommending that this Court deny the “Emergency Petition for Extraordinary Constitutional Writ of Habeas Corpus” (ECF No. 1) filed by Alina Hardy and dismiss this case for lack of subject matter jurisdiction. (ECF No. 4, PAGEID # 12.) Although the parties were advised of the right to file objections to the Magistrate Judge’s Report and Recommendation and of the consequences of failing to do so, no objections have been filed.¹

For the reasons set forth therein, the Court **ADOPTS** and **AFFIRMS** the Report and Recommendation (ECF No. 4). Ms. Hardy’s Petition (ECF No. 1) is **DENIED**, and this action is **DISMISSED**. The Court further certifies pursuant to

¹ Ms. Hardy filed an “Emergency Notice of Appeal under 28 U.S.C. § 1291” on December 6, 2024. (ECF No. 5.) The Court does not construe this filing as an objection to the Report and Recommendation. The filing is also premature because only the Court’s Order on the Report and Recommendation—not the Report and Recommendation itself—is appealable. *See Burton v. Michigan Dep’t of Corr.*, No. 21-1637, 2021 WL 6502096, at *1 (6th Cir. Nov. 10, 2021).

28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith.

The Clerk is **DIRECTED** to **TERMINATE** this case from the docket records of the United States District Court for the Southern District of Ohio, Eastern Division

IT IS SO ORDERED.

/s/ Sarah D. Morrison

**SARAH D. MORRISON, CHIEF JUDGE
UNITED STATES DISTRICT COURT**